

PATENT

ATTORNEY DOCKET NO.: W1200-00034

III. Remarks

Claims 1-30 and 92-125 are pending in the present application.

Objected to claim 7 has been canceled and rewritten in independent form as claim 126. Claim 8 has been amended accordingly to change its dependency. Allowance of Claims 126 and 8 are respectfully requested.

A. Rejection under 35 U.S.C. § 102

The Action now rejects Claims 26-30, 117-121 and 124-125 as being anticipated by Garahi et al. Reconsiderations and withdrawal of this rejection are respectfully requested.

Claim 26 originally depended from independent claim 1, which was directed to a method of providing wagering data including the steps providing and updating live odds. Claim 26 added certain method steps directed to providing a track board to a user, providing status of races in the track board and providing certain data dependent upon the status of an individual race selected by a user.

The Garahi reference was first cited by the Examiner in an office action dated December 4, 2003. In that Action, the Examiner rejected independent claim 1 as being obvious from Garahi in view of Brenner, but stated that claim 26 contained allowable subject matter, i.e., its features were not taught by either Garahi or Brenner or their combination. Applicants did not amend Claim 1 or 26 in its response to this Action.

On December 23, 2004, the Patent Office issued a new office action withdrawing the previous rejection, and this time rejecting claim 1 as being obvious from Brenner in view of Garahi in further view of Boylan. The Examiner again stated that claim 26 contained allowable subject matter.

In response to this Action and in reliance on the previous Action, Applicants amended claim 26 into an independent claim and made claim 1 dependent thereon, as it was evident from